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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91185700
Party	Plaintiff Shandong Linglong Rubber Co., Ltd. & Zhaoyuan Leo Rubber Co. Ltd.
Correspondence Address	Marie Anne Mastrovito Abelman Frayne & Schwab 666 Third Avenue New York, NY 10017 UNITED STATES mamastrovito@lawabel.com
Submission	Motion to Consolidate
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Date	12/30/2008
Attachments	20081230111720306.pdf (4 pages)(400073 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

IN THE MATTER OF Trademark Application No. 77/308830

Shandong Linglong Rubber Co. Ltd, and

Zhaoyuan Leo Rubber Co. Ltd

Joint Opposers,

v. : Opposition No. 91185700

Omni United (S) Pte Ltd.

Applicant.

OPPOSERS MOTION TO CONSOLIDATE

Opposers hereby requests that the Board consolidate the instant Opposition No. 91185700 with the previously consolidated Opposition No. 91178908 and Cancellation Action No. 92048386. The Applicant is identical in all three proceedings. The Opposers are identical in the instant proceeding and in Cancellation No. 92048386 and Opposition No. 91178908 involves one of the two Opposers. Thus, the parties to all three actions are essentially the same.

In addition, the mark involved in this proceeding, is highly similar to the marks covered by Opposition No. 91182700 and Cancellation No. 92048386. In this case the mark at issue is the word mark LEOI. The mark covered by Cancellation No. 92048386 is:



Opposer submits that this mark is a highly stylized version of Opposer's Mark LEAO, however, it may also be read as LEOI. Thus, this word/design mark is closely related to the word mark LEOI.

Opposition action No. 91182700 involves the word mark LEAO.As shown by the attached sample

of how Opposers use the mark LEAO, LEAO has been used in close juxtaposition to the

LEAO/LEOI AND DESIGN mark shown above. Thus, the marks LEAO, LEAO(or LEOI) AND

DESIGN and LEOI are all closely related. As a result, all three proceedings will involve many

common issues of law and fact.

Opposes submit that the consolidation of the proceedings will save considerable time,

effort and expense. The prejudice or inconvenience resulting from the consolidation will be very

small as the proceedings are all still in the discovery stage.

WHEREEFORE, Opposers request that the Board grant this Motion to Consolidate and

order Opposition No. 91185700 to be consolidated with Cancellation No. 92048386 and and

Opposition 91178908.

Date: December 30, 2008

Respectfully submitted,

MARIE-ANNE MASTROVITO

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Attorneys for Opposers,

Shandong Linglong Rubber Co. Ltd. and

Zhaoyuan Leo Rubber Co. Ltd.

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing MOTION TO CONSOLIDATE was served by first class mail, postage prepaid this 30th day of December, 2008 upon the following:

Thomas W. Cook, Esq.
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MARIE-ANNE MASTROVITO

